

ORDINANCE NO. 1427-15

AN ORDINANCE OF THE BOROUGH COUNCIL OF THE BOROUGH OF GETTYSBURG, ADAMS COUNTY, PENNSYLVANIA, AMENDING CHAPTER 1, PART 4.B. OF THE CODE OF ORDINANCES OF THE BOROUGH OF GETTYSBURG, RELATIVE TO THE FUNCTIONS OF THE PARKING DEPARTMENT OF THE BOROUGH OF GETTYSBURG AND THE ADMINISTRATION AND SUPERVISION OF PUBLIC PARKING PROGRAMS, SYSTEMS AND FACILITIES AND THE ENFORCEMENT OF COMPLIANCE WITH ALL REGULATIONS RELATED TO PUBLIC PARKING WITHIN THE BOROUGH OF GETTYSBURG.

The Borough Council of the Borough of Gettysburg, Adams County, Pennsylvania, hereby enacts, adopts and ordains this ordinance, amending Chapter 1, Part 4.B. of the Code of Ordinances of the Borough of Gettysburg, as follows:

SECTION 1: Chapter 1, Part 4.B., §1-411 shall be amended and revised to read as follows:

§ 1-411. Parking Department.

The Parking Department of the Borough of Gettysburg is empowered to exercise those functions necessary for the administration and supervision of the on-street and off-street public parking programs, systems and facilities of the Borough of Gettysburg and for the enforcement of compliance with all parking regulations related thereto as enacted, adopted and ordained by the Borough Council of the Borough of Gettysburg.

SECTION 2: Chapter 1, Part 4.B., §1-412 shall be amended and revised to read as follows:

§ 1-412. Parking Department Functions.

The Parking Department of the Borough of Gettysburg is authorized to exercise and carry out those functions necessary for the administration and supervision of the on-street and off-street public parking programs, systems and facilities of the Borough of Gettysburg and to implement and to enforce compliance with the parking regulations as enacted, adopted and ordained by the Borough Council of the Borough of Gettysburg. Those functions shall include, but are not limited to, the following:

- (1) To conduct research and maintain data related to on-street and off-street public parking requirements and programs of the Borough of Gettysburg;



- (2) To distribute, to issue and to process parking tickets and citations on behalf of the Borough of Gettysburg;
- (3) To implement, to administer and to enforce compliance with the parking regulations of the Borough of Gettysburg;
- (4) To collect on behalf of the Borough of Gettysburg all revenues derived from on-street and off-street public parking programs, systems and facilities and to submit those revenues to the Borough in a manner as authorized and directed by the Borough Manager in accordance with the implementation of any such policy as adopted by the Borough Manager in his or her general supervision of the Parking Department;
- (5) To acquire parking meters and the related supplies and equipment necessary to locate, relocate, install and maintain any such parking meters;
- (6) To implement, to administer and to enforce compliance with the regulations relative to the Borough's Residential Permit Parking system and program;
- (7) To manage, to maintain and to operate, or to cause to be managed, maintained and operated, all off-street public parking lots, systems and facilities owned or leased by the Borough of Gettysburg;
- (8) To institute negotiations or make arrangements necessary for purchase or lease of property on which to provide public parking lots, systems and facilities of the Borough of Gettysburg;
- (9) To recommend to the Borough Council of the Borough of Gettysburg any changes in rates for on-street and off-street public parking and for the use of the public parking programs, systems and facilities of the Borough of Gettysburg and for the issuance of any related permits by the Borough;
- (10) To prepare and distribute to the residents of the Borough of Gettysburg and to its visitors and to the general public information about the proper and legal use of any municipal on-street and off-street public parking programs, systems and facilities and any such information about any permit parking authorized by the Borough; and
- (11) To prepare and recommend to the Borough Council of the Borough of Gettysburg for adoption from time to time any such regulations as are necessary or convenient for the administration, supervision and enforcement of an efficient unified public parking system within the Borough of Gettysburg.

SECTION 3: A new Chapter 1, Part 4.B., §1-413 shall be promulgated and shall read as follows:

§ 1-413. Borough Manager's Delegation of Functions.

The Borough Manager may delegate administrative and enforcement functions and authority to other members of the Borough's administrative staff, in connection with the administration of this Part and the Parking Department of the Borough of Gettysburg.

SECTION 4: A new Chapter 1, Part 4.B., § 1-414 shall be promulgated and shall read as follows:

§ 1-414. Parking Department's Enforcement Authority.

Consistent with the enforcement functions authorized in this ordinance, the parking enforcement officers of the Parking Department of the Borough of Gettysburg shall be considered law enforcement officers of the Borough of Gettysburg and shall be empowered to enforce the regulations of the Borough Council of the Borough of Gettysburg duly enacted, adopted and ordained for the purposes of regulating or prohibiting stopping, standing or parking of vehicles within the Borough of Gettysburg and to issue tickets as authorized thereby or to issue citations as authorized thereby for the purposes of instituting summary proceedings as authorized by the Pennsylvania Rules of Criminal Procedure.

SECTION 5: A new Chapter 1, Part 4.B., § 1-415 shall be promulgated and shall read as follows:

§ 1-415. Police Department's Enforcement Authority.

The police officers of the Gettysburg Borough Police Department or of any other police department contracted to perform police and law enforcement services in the Borough of Gettysburg shall have concurrent enforcement authority of the parking regulations of the Borough of Gettysburg and the issuance of any tickets or citations for violations thereof at all times, including, but not limited to, any periods of time when there are no Parking Department parking enforcement officers on duty for the enforcement of any such parking regulations.

SECTION 6: To the extent that the provisions of any other ordinance provide for the functions of the Parking Department or the administration and supervision of the on-street and off-street public parking programs, systems and facilities within the Borough of Gettysburg, and to enforce compliance with the parking regulations of the Borough of Gettysburg, such provisions shall be deemed to be amended to be made consistent with the provisions of this ordinance and shall be interpreted in such manner. It is the intention of the Borough Council in enacting this ordinance that the Parking Department under the general administration and

supervision of the Borough Manager shall have primary authority to implement and enforce the parking regulations of the Borough of Gettysburg subject to the concurrent authority and jurisdiction of the police officers of the Gettysburg Borough Police Department or the officers of any other police department contracted to perform law enforcement services in the Borough of Gettysburg to enforce such parking regulations.

SECTION 7: All remaining provisions of Chapter 1, Part 4.B. of the Code of Ordinances of the Borough of Gettysburg shall remain in full force and effect unless otherwise repealed by this or by any other ordinance. All other ordinances or parts of ordinances of the Borough of Gettysburg inconsistent herewith are hereby repealed.

SECTION 8: This ordinance shall take effect upon enactment.

THIS ORDINANCE DULY ENACTED, ADOPTED AND ORDAINED according to law this 13th day of April, 2015 at a duly advertised general monthly business meeting of the Borough Council of the Borough of Gettysburg.

BOROUGH OF GETTYSBURG

By: _____
Michael J. Birkner
President of Borough Council

ATTEST:

By: _____
Sara L. Stull, Secretary

APPROVED this _____ day of April, 2015.

By: _____
William E. Troxell, Mayor